

**ASSEMBLY BILL**

**No. 2523**

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**Introduced by Assembly Member Eng**

February 19, 2010

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An act to amend Section 3099.4 of the Labor Code, relating to apprenticeship.

LEGISLATIVE COUNSEL'S DIGEST

AB 2523, as introduced, Eng. Apprenticeship: electricians.

Existing law requires the certification of electricians by the Division of Apprenticeship Standards, except as specified. Existing law allows an uncertified person to perform electrical work for which certification is required if certain requirements are met, including that the person has completed or is enrolled in a curriculum of classroom instruction approved by the electrician certification curriculum committee and provided under the jurisdiction of the State Department of Education, the Board of Governors of the California Community Colleges, or the Bureau for Private Postsecondary and Vocational Education.

This bill would delete the requirement that the curriculum of classroom instruction discussed above be provided under the jurisdiction of the State Department of Education, the Board of Governors of the California Community Colleges, or the Bureau for Private Postsecondary and Vocational Education.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 3099.4 of the Labor Code is amended to read:

3099.4. (a) After the deadline for certification, an uncertified person may perform electrical work for which certification is required under Section 3099 in order to acquire the necessary on-the-job experience for certification, if all of the following requirements are met:

(1) The person is registered with the Division of Apprenticeship Standards. A list of current registrants shall be maintained by the division and made available to the public upon request.

(2) The person either has completed or is enrolled in an approved curriculum of classroom instruction.

(3) The employer attests that the person shall be under the direct supervision of an electrician certified pursuant to Section 3099 who is responsible for supervising no more than one uncertified person. An employer who is found by the division to have failed to provide adequate supervision may be barred by the division from employing uncertified individuals pursuant to this section in the future.

(b) For purposes of this section, an “approved curriculum of classroom instruction” means a curriculum of classroom instruction approved by the electrician certification curriculum committee established pursuant to paragraph (6) of subdivision (a) of Section 3099 ~~and provided under the jurisdiction of the State Department of Education, the Board of Governors of the California Community Colleges, or the Bureau for Private Postsecondary and Vocational Education.~~

(c) The curriculum committee may grant approval to an educational provider that presently offers only a partial curriculum if the educational provider intends in the future to offer, or to cooperate with other educational providers to offer, a complete curriculum for the type of certification involved. The curriculum committee may require an educational provider receiving approval for a partial curriculum to periodically renew its approval with the curriculum committee until a complete curriculum is offered and approved. A partial curriculum means a combination of classes that do not include all classroom educational components of the

1 complete curriculum for one of the categories of certification  
2 established in accordance with subdivision (c) of Section 3099.2.

3 (d) An educational provider that receives approval for a partial  
4 curriculum must disclose in all communications to students and  
5 to the public that the educational provider has only received  
6 approval for a partial curriculum and shall not make any  
7 representations that the provider offers a complete approved  
8 curriculum of classroom instruction as established by subparagraph  
9 (A) of paragraph (6) of subdivision (a) of Section 3099.

10 (e) For purposes of this section, a person is “enrolled” in an  
11 approved curriculum of classroom instruction if the person is  
12 attending classes on a full-time or part-time basis toward the  
13 completion of an approved curriculum.

14 (f) Registration under this section shall be renewed annually  
15 and the registrant shall provide to the division certification of the  
16 classwork completed and on-the-job experience acquired since the  
17 prior registration.

18 (g) For purposes of verifying the information provided by a  
19 person registered with the division, an educational provider of an  
20 approved curriculum of classroom instruction shall, upon the  
21 division’s request, provide the division with information regarding  
22 the enrollment status and instruction completed by a person  
23 registered. By registering with the division in accordance with this  
24 section, a person consents to the release of this information.

25 (h) The division shall establish registration fees necessary to  
26 implement this section, not to exceed twenty-five dollars (\$25) for  
27 the initial registration. There shall be no fee for annual renewal of  
28 registration. Fees collected are continuously appropriated in an  
29 amount sufficient to administer this section and that amount may  
30 be expended by the division for this purpose.

31 (i) The division shall issue regulations to implement this section.

32 (j) For purposes of Section 1773, persons employed pursuant  
33 to this section do not constitute a separate craft, classification, or  
34 type of worker.

35 (k) Notwithstanding any other provision of law, an uncertified  
36 person who has completed an approved curriculum of classroom  
37 instruction and is currently registered with the division may take  
38 the certification examination. The person shall be certified upon  
39 passing the examination and satisfactorily completing the requisite  
40 number of on-the-job hours required for certification. A person

- 1 who passes the examination prior to completing the requisite hours
- 2 of on-the-job experience shall continue to comply with subdivision
- 3 (f).

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